



PATENT
ATTORNEY DOCKET NO. 07678/062004

Certificate of Mailing: Date of Deposit: March 12, 2004

I hereby certify under 37 C.F.R. § 1.8(a) that this correspondence is being deposited with the United States Postal Service as **first class mail** with sufficient postage on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Christine M. Colbert

Printed name of person mailing correspondence

Christine M. Colbert

Signature of person mailing correspondence

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Hai-Ying Zhu et al.	Art Unit:	1636
Serial No.:	09/613,486	Examiner:	S. Kaushal
Filed:	July 11, 2000	Customer No.:	21559
Title:	GRAPEVINE LEAFROLL VIRUS (TYPE 2) PROTEINS AND THEIR USES		

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER UNDER 37 C.F.R. §§ 1.321 and 3.73(b) TO
OBVIATE AN OBVIOUSNESS-TYPE DOUBLE PATENTING REJECTION

The owner, Cornell Research Foundation, Inc., a corporation of the State of New York, having a place of business in Ithaca, New York, the assignee of the entire right, title, and interest in the above-identified application seeks to disclaim the terminal portion of the term of the patent to be granted on the application. This terminal disclaimer is binding on the grantee and its successors or assigns.

Cornell Research Foundation, Inc. hereby waives and disclaims the terminal portion of the term of the entire patent to be granted upon the application subsequent to

the expiration date of U.S. Patent No. 6,197,948. Cornell Research Foundation, Inc does not disclaim any terminal part of any patent granted on the application prior to the expiration date of the full statutory term of U.S. Patent No. 6,197,948 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title as stated above.

The undersigned (whose title is supplied below) is empowered to act on behalf of Cornell Research Foundation, Inc. in making this Terminal Disclaimer. The undersigned further certifies that Cornell Research Foundation, Inc. is the assignee of the entire right, title, and interest in the above-identified application by virtue of:

- An assignment from the inventors of the parent patent application U.S. Serial No. 09/080,983, filed May 19, 1998. The assignment was recorded in the Patent and Trademark Office at Reel/Frame 9318/0244 on July 15, 1998. Copies of the assignment and the recordation cover sheet are enclosed.

Further, pursuant to 37 C.F.R. § 1.321(c)(3), this terminal disclaimer is being filed to overcome a double patenting rejection in the application. Any patent granted on the application or any resulting patent subject to reexamination proceedings shall be enforceable only for and during such period that the patent is commonly owned with the application or patent that formed the basis for the rejection.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Respectfully submitted,

Date: March 3, 2008

By: Richard S. Cahoon

Printed Name: Richard S. Cahoon

Title: Sr. Vice President

For: Cornell Research Foundation, Inc.